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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,547

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

NOTIFICATION DATE

DELIVERY MODE

03/03/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/780,547	Applicant(s) CRIDER ET AL.	
	Examiner MAIKHANH NGUYEN	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 40-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 40-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the After Final filed 01/07/2010.

Claims 1-24 and 40-47 are currently pending. Claims 1, 10, 13, 22, and 24 are independent Claims.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-24 and 40-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Davia** (US 20020156815 A1) in view of **Brauer et al.** (US 20010014900 A1).

As to Claim 13:

Davia teaches a computer system (*data processing system; paragraph [0017]*) for specifying alternate layouts of an element of a display description (*layout information defined in a separate XML, HTML, or Javascript file... The layout information file is merely concerned with the display characteristics of the screen; paragraph [0049]*), comprising:

a storage device (*memory; paragraph [0018]*) containing:

a display description file (*layout information defined in a separate XML, HTML, or Javascript file; paragraph [0049]*) having a definition of the element and condition and layout pairs for the element specified using a display description language, wherein layouts and conditions included in the display description file only specify how to display elements defined in the display description file (*The layout information is preferably an extensible Markup Language (XML) file, or other web file, that describes the pixel coordinates of each layer for the screen. The layout information also describes the initial visibility state of each layer, the fonts and colors, etc. For example, a classification image 1's pixel coordinates might be 10,20,200,100, and be visible. Classification text 1's pixel coordinates might be 400,400,200,300, have a 20 point font in blue, and be hidden.*

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Classification audio 1's pixel location might be 100,400,100,50, and be visible; paragraphs... The content information describes the media and text that the screen needs. For example, Classification image 1's image is "button.gif". Classification text 1 is defined as "This is some classification text for Image 1", and Classification audio 1's audio file is class1.mp3; paragraphs [0060-0061]).

Davia teaches a display component that generates a display based on the display description file *(dynamically generates content for the DynamicContent frame by including separately stored layout information, separately stored content information, and separately stored logic information; paragraph [0059]).*

Davia, however, does not specifically teach a display component that generates a display based on the display description file by displaying the element in accordance with a layout of a pair when the condition of the pair is satisfied.

Brauer teaches a display component that generates a display based on the display description file by displaying the element in accordance with a layout of a pair when the condition of the pair is satisfied *(checks whether or not the object detected in 141 contains formatting features, which are directly (hard) assigned to the object... If the answer is YES, a formatting element corresponding to the formatting template is created at 144...Method 130 then proceeds to check whether a (further) formatting template is assigned to the object to be converted at 146. ... the formatting element generated at 147*

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then being a grandparent (etc.) formatting element...the content data are arranged in the XML-document separate from the format elements; paragraphs [0069-0071]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have separated content data and formatting data an XML-document and facilitated modifications of the style and/or the content of the XML-document. This greatly improves the utility of the XML-document.

As to claim 14:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the element has a class and the condition and layout pairs are specified in a style for that class (*paragraphs [0061-0066] and [0082-0092]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 15:

does not explicitly teach the following additional limitations:

Brauer teaches the condition and layout pairs are attributes of an element for that class (*paragraphs [0092-0093]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 16:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the condition and layout pairs are attributes within the definition of the element (*paragraphs [0092-0093]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 17:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the element has child elements and the layouts specify the layout of the child elements (*paragraphs [0030] and [0063]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 18:

Davia teaches a layout is from, among other things, a group consisting of vertical layout and horizontal layout (*paragraph [0060]*).

As to Claim 19:

Davia does not explicitly teach the following additional limitations:

Brauer teaches a layout specifies a table in which the child elements are to be displayed (*paragraphs [0030] and [0063]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have

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allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 20:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the layout that specifies a table further specifies a cell within the table for a child element (*paragraphs [0030] and [0063]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 21:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the layout that specifies a table further specifies that a cell for a child element is to be automatically selected (*paragraphs [0063-0065]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have

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allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 23:

Davia does not explicitly teach the following additional limitations:

Brauer teaches each child element is only defined once within the element (*paragraphs [0063-0065]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 24:

Davia does not explicitly teach the following additional limitations:

Brauer teaches a layout specifies the layout of the child elements (*paragraphs [0030] and [0063]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have

allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 22:

The rejection of Claim 13 above is incorporated herein in full. Additionally, Davia teaches the use of a processor (*processor; paragraph [0018]*).

However, Davia does not explicitly teach the following additional limitations:

Brauer teaches the element has child elements and the layouts specify the layout of the child elements, a layout specifies a table in which the child elements are to be displayed, and the layout that specifies a table further specifies a cell within the table for a child element and another cell for another child element is to be automatically selected (*paragraphs [0030-0031 and [0063] and claim 4*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have separated content data and formatting data an XML-document and facilitated modifications of the style and/or the content of the XML-document. This greatly improves the utility of the XML-document.

As to Claim 40:

The rejection of Claim 13 above is incorporated herein in full. Additionally, Davia teaches the use of a computer-readable storage medium (*computer-readable medium... ROMs... EEPROMs ... floppy disks; paragraphs [0066]*); a definition of an element (*layout information defined in a separate XML, HTML, or Javascript file; paragraph [0049]*); a first condition and a first layout associated with the element; and a second condition and a second layout associated with the element (*The layout information is preferably an extensible Markup Language (XML) file, or other web file, that describes the pixel coordinates of each layer for the screen. The layout information also describes the initial visibility state of each layer, the fonts and colors, etc. For example, a classification image 1's pixel coordinates might be 10,20,200,100, and be visible. Classification text 1's pixel coordinates might be 400,400,200,300, have a 20 point font in blue, and be hidden. Classification audio 1's pixel location might be 100, 400, 100, 50, and be visible; paragraphs... The content information describes the media and text that the screen needs. For example, Classification image 1's image is "button.gif". Classification text 1 is defined as "This is some classification text for Image 1", and Classification audio 1's audio file is class1.mp3; paragraphs [0060-0061]*).

However, Davia does not explicitly teach the following additional limitations:

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Brauer teaches the element is laid out in accordance with the first layout when the first condition is satisfied and with the second layout when the second condition is satisfied *(checks whether or not the object detected in 141 contains formatting features, which are directly (hard) assigned to the object... If the answer is YES, a formatting element corresponding to the formatting template is created at 144...Method 130 then proceeds to check whether a (further) formatting template is assigned to the object to be converted at 146. ... the formatting element generated at 147 then being a grandparent (etc.) formatting element...the content data are arranged in the XML-document separate from the format elements; paragraphs [0069-0071]).*

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have separated content data and formatting data an XML-document and facilitated modifications of the style and/or the content of the XML-document. This greatly improves the utility of the XML-document.

As to Claim 41:

Davia does not explicitly teach the following additional limitations:

Brauer teaches teaches the conditions and layouts are defined in a style associated with the element *(paragraphs [0061-0066] and [0082-0092]).*

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 42:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the style is associated with the element based on a class (*paragraphs [0082-0092]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 43:

Davia does not explicitly teach the following additional limitations:

Brauer teaches the conditions and layouts are defined as attributes of the element (*paragraphs [0092-0093]*).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have allowed a separation of content data and formatting data on the mark-up document, which is highly desirable with regard to amending and/or editing the document.

As to Claim 44:

Refer to the discussion of Claim 17 above for rejection.

As to Claim 45:

Davia teaches the data structure is specified using a display description language (*paragraphs [0060-0062]*).

As to Claim 46:

Davia teaches the data structure is specified using XML (*paragraphs [0049] and [0060]*).

As to Claim 47:

Davia teaches the data structure is specified using HTML (*paragraphs [0011] and [0025-0043]*).

As to Claim 10:

Refer to the discussions of Claims 13 and 40 above.

However, Davia does not explicitly teach the following additional limitations:

Brauer teaches the layouts specify the layout of the child elements, and wherein a layout specifies a table in which the child elements are to be displayed and further specifies a cell within the table for a child element and another cell for another child element is to be automatically selected (*paragraphs [0030-0031 and [0063] and claim 4*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have separated content data and formatting data an XML-document and facilitated modifications of the style and/or the content of the XML-document. This greatly improves the utility of the XML-document.

As to Claim 1:

Refer to the discussions of Claims 13 and 40 above. Additionally, Davia teaches: parsing the display description file to identify the definition of the element, the first condition and the first layout, and the second condition and the second layout; retrieving a parameter for controlling the layout of the element (*paragraphs [0059-0062]*).

However, Davia does not explicitly teach the following additional limitations:

Brauer teaches determining whether the retrieved parameter indicates that the first condition is satisfied or the second condition is satisfied (*paragraphs [0069-0073]*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Davia with Brauer because it would have separated content data and formatting data an XML-document and facilitated modifications of the style and/or the content of the XML-document. This greatly improves the utility of the XML-document.

As to Claims 2-9 and 11-12:

Refer to the discussion of Claims 14-21 and 46-47 above, respectively, for rejections.

Response to Arguments

5. Applicant's arguments filed 01/07/2010 have been fully considered but are moot in view of the new ground(s) rejection.

Conclusion

6. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

Contact information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MaiKhanh Nguyen/

Examiner, Art Unit 2176

/Laurie Ries/

Primary Examiner

Technology Center 2100

26 February 2010